

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

BUILDERS BANK,

Plaintiff,

-against-

BEACH 116-23 LLC and MAURICE
ENBAR,

Defendants.

-----X

AMON, Chief United States District Judge.

NOT FOR PUBLICATION
MEMORANDUM & ORDER
09-cv-2220 (CBA)

FILED
U.S. DISTRICT COURT
★ DEC 22 2011 ★

BROOKLYN OFFICE

Plaintiff Builders Bank commenced this foreclosure action on May 27, 2009 against Beach 116-23 LLC and Maurice Enbar. On December 23, 2010, Plaintiff moved for summary judgment and that motion was referred to Magistrate Judge Ramon E. Reyes for report and recommendation. The Magistrate Judge recommended that summary judgment be granted but that this Court order additional briefing on the issue of the total amount due under the Restated Standing Loan Note. The Court adopted these recommendations in their entirety. Plaintiff has now submitted the additional briefing requested, and Magistrate Judge Reyes has issued a report and recommendation that judgment be entered in the amount of \$2,623,820.08.

A District Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Wilds v. United Parcel Services, Inc.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted). Defendants have not filed objections to the R & R. The Court has reviewed

Plaintiff's submissions and the Magistrate Judge's R & R and, finding no clear error, hereby adopts the Magistrate's recommendation in its entirety.

Accordingly, judgment is entered against Defendants in the amount of \$2,623,820.08.

SO ORDERED.

Dated: December 21, 2011
Brooklyn, N.Y.

s/CBA

Carol Bagley Amon
Chief United States District Judge

Copy mailed to:
Maurice Enbar
& Beach 116-23 LLC
Magnum Real Estate Services Inc.
46 Trinity Place, Suite 200
New York, NY 10006